

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on June 4, 2019, which may be different from its entry on the record.

**IT IS SO ORDERED.**

**Dated: June 4, 2019**



  
ARTHUR I. HARRIS  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re:	)	Case No. 17-17361
	)	
RICHARD M. OSBORNE,	)	Chapter 11
	)	
Debtor.	)	Judge Arthur I. Harris

EVIDENTIARY HEARING SCHEDULING ORDER

On June 4, 2019, the Court held a hearing on the U.S. Trustee's motion to convert the case to Chapter 7 (Docket No. 439), the debtor's brief in opposition (Docket No. 449), and creditor First National Bank of Pennsylvania's limited response (Docket No. 452). At the hearing, the parties requested an evidentiary hearing concurrent with the evidentiary hearing scheduled on First National Bank of Pennsylvania's motion to appoint a Chapter 11 trustee (Docket No. 413). Therefore, in order to secure the just, speedy, and inexpensive determination of this matter, the parties are directed to comply with the following deadlines:

(1) EVIDENTIARY HEARING. An evidentiary hearing will be held at **9:00 A.M. on July 3, 2019**, in Courtroom 1A of the Howard M. Metzenbaum U.S. Courthouse, 201 Superior Avenue, Cleveland, Ohio 44114.

(2) WITNESS AND EXHIBIT LISTS. No later than **June 26, 2019**, each party will file with the Court and provide opposing counsel with a list of (i) the witnesses the party intends to call along with a statement of the issues about which each witness is expected to testify and (ii) the exhibits the party intends to introduce at the evidentiary hearing.

(3) EXHIBITS. No later than **June 26, 2019**, the parties shall deliver to chambers, but not file, three complete sets of exhibits and serve a complete set of exhibits on opposing counsel. Movant's exhibits shall be marked with numbers and respondent's exhibits shall be marked with letters. Counsel for all parties should ensure that names of minor parties, birthdays, social security numbers, taxpayer-identification numbers, and account numbers are appropriately redacted pursuant to Bankruptcy Rule 9037.

(4) STIPULATIONS. No later than **June 26, 2019**, the parties are to file Stipulations of Fact or, in the alternative, a Joint Statement that all material facts are disputed. In addition, the parties may agree to have the matter resolved solely on the basis of their Stipulations of Fact without an evidentiary hearing. If this is

the case, the parties should so indicate in their joint stipulation, and the joint stipulations should also be submitted no later than **June 26, 2019**.

(5) BRIEFING. Any party wishing to submit additional briefing should do so no later than **June 26, 2019**.

(6) EXPERT TESTIMONY. No later than **June 26, 2019**, any party intending to present expert testimony shall comply with the disclosure requirements of Fed. R. Civ. P. 26(a)(2), made applicable to this matter under Bankruptcy Rules 7026 and 9014.

If any date indicated above creates a scheduling conflict, any party with such a conflict shall be responsible for conferring with the remaining counsel and the Courtroom Deputy, Ms. Stephanie Zelman-Thanasiu [(216) 615-4402], by **June 21, 2019**, to schedule an acceptable alternate date.

IT IS SO ORDERED.